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7 **UNITED STATES DISTRICT COURT**
8 **NORTHERN DISTRICT OF CALIFORNIA**
9 **SAN FRANCISCO DIVISION**
10

11 WAYMO, LLC,

12 Plaintiff,

13 vs.

14 UBER TECHNOLOGIES, INC;
15 OTTOMOTTO LLC; and OTTO TRUCKING
LLC,

16 Defendants.
17

Case No.: 3:17-CV-00939 (WHA)

**DECLARATION OF NON-PARTY LIOR
RON IN SUPPORT OF MOTION TO
INTERVENE, MOTION FOR RELIEF
FROM NONDISPOSITIVE PRETRIAL
ORDER OF MAGISTRATE JUDGE OR,
IN THE ALTERNATIVE, MOTION FOR
A PROTECTIVE ORDER**

Honorable William Alsup

18
19 I, LIOR RON, declare as follows:

20 1. I am currently a Senior Director at Uber Technologies, Inc. (“Uber”), and I manage
21 the Uber Freight division. In 2016, I was a founding member of Ottomotto LLC (“Otto”). I have
22 personal knowledge of the matters set forth in this declaration and, if called to testify as a witness,
23 I could and would testify competently under oath to the matters set forth herein. This declaration
24 is submitted in support of Non-Party Lior Ron’s Motion to Intervene, Motion for Relief from
25 Nondispositive Pretrial Order or, in the Alternative, Motion for a Protective Order filed
26 concurrently herewith.

27 2. I have never developed LiDAR, have never worked at Waymo, and was not on the
28 Chauffeur team at Google.

1.

DECLARATION OF NON-PARTY LIOR RON IN SUPPORT OF MOTION
TO INTERVENE AND MOTION FOR RELIEF: CASE NO. 3:17-CV-00939 (WHA)

1 3. As part of the pre-acquisition evaluation process between Uber and Otto, I
2 participated in the due diligence that was overseen by Stroz Friedberg (“Stroz”).

3 4. In connection with the due diligence phase of the proposed acquisition of Otto by
4 Uber, I delivered all electronic devices in my possession at the time, including multiple laptops,
5 smartphones, and tablets. I was also asked to provide Stroz with access to the full content of all of
6 my personal email and Cloud storage accounts (e.g., Gmail, Dropbox, iCloud).

7 5. It was my expectation that the private information residing on my personal
8 computer and other devices and in my personal Cloud and email accounts would not be made
9 public, and that none of this information would be used for any purpose other than the due
10 diligence evaluation.

11 6. I was never notified that a subpoena had been issued in this action and served on
12 Stroz seeking production of documents in its possession that had been collected during the due
13 diligence investigation from my personal computer and other electronic devices and my personal
14 email and Cloud storage accounts.

15 7. I first became aware of the Stroz subpoena, and its implications with respect to the
16 public and unprotected disclosure of thousands of my and my family’s personal and private
17 records, on June 22, 2017.

18 8. It is my understanding that Stroz imaged files from all of my personal devices and
19 Cloud accounts. Those files contain a substantial volume of personal and private information,
20 including copies of every email I have ever sent or received over a significant period of time; my
21 personal banking records and those of my family; state and federal U.S. tax returns and related tax
22 preparation documents; information about my and my family’s financial investments, social
23 engagements, and on-line purchases; credit card information; passwords for all types of accounts
24 and charge cards; my social security number and that of my family; medical information relating
25 to myself and the members of my immediate family; passport information; personal photographs
26 and memorabilia; communications of a personal nature; personal credit,

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28 ///

1 loan and mortgage information; and information about purchases and acquisitions made by myself
2 and my family members.

3 I declare under penalty of perjury, under the laws of the United States of America, that the
4 foregoing is true and correct. Executed this 23rd day of June, 2017, at San Francisco, California.

5
6 /s/ Lior Ron

7 LIOR RON

8
9 **ATTESTATION**

10 I, Jonathan A. Patchen, am the ECF user whose ID and password are being used to
11 file the above DECLARATION OF NON-PARTY LIOR RON IN SUPPORT OF MOTION TO
12 INTERVENE AND MOTION FOR RELIEF. In compliance with Civil Local Rule 5-1(i)(3), I
13 hereby attest that each listed counsel above has concurred in this filing.
14

15 /s/ Jonathan A. Patchen